

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **HEREDITARY HEMOCHROMATOSIS GENE** the specification of which ___ is attached hereto or X was filed on April 4, 1997 as Application No. ___ and was amended on ___ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes _ No _
			Yes _ No _

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/630,912	04/04/96	_ Patented <u>X</u> Pending _ Abandoned
08/632,673	04/16/96	_ Patented <u>X</u> Pending _ Abandoned
08/652,265	05/23/96	_ Patented <u>X</u> Pending _ Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

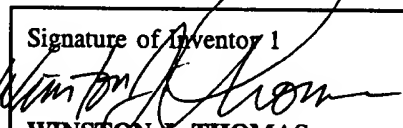
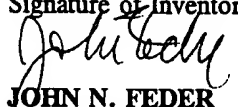
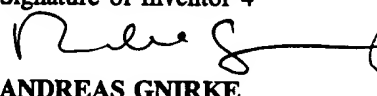
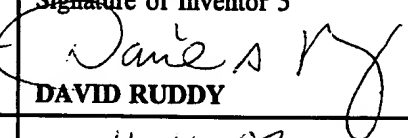
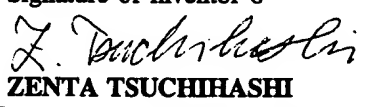
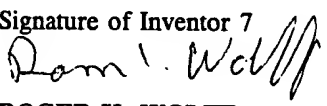
Renee A. Fitts, Reg. No. 35,136
 William M. Smith, Reg. No. 30,223
 Joe Liebeschuetz, Reg. No. 37,505

Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: William M. Smith Reg. No.: 30,223 Telephone: (415) 326-2400
--	---

Full Name of Inventor 1	Last Name THOMAS	First Name WINSTON	Middle Name or Initial J.	
Residence & Citizenship	City SAN MATEO	State/Foreign Country CA	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 40 WHITE PLAINS CT.	City SAN MATEO	State/Country CA	Zip Code 94402
Full Name of Inventor 2	Last Name DRAYNA	First Name DENNIS	Middle Name or Initial T.	
Residence & Citizenship	City BETHESDA	State/Foreign Country MD	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 120 CENTER DRIVE #409	City BETHESDA	State/Country MD	Zip Code 20814
Full Name of Inventor 3	Last Name FEDER	First Name JOHN	Middle Name or Initial N.	
Residence & Citizenship	City MOUNTAIN VIEW	State/Foreign Country CA	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 411 B WEST DANA STREET	City MOUNTAIN VIEW	State/Country CA	Zip Code 94041
Full Name of Inventor 4	Last Name GNIRKE	First Name ANDREAS	Middle Name or Initial	
Residence & Citizenship	City SAN CARLOS	State/Foreign Country CA	Country of Citizenship GERMANY	
Post Office Address	Post Office Address 1220 HIGHLAND CT.	City SAN CARLOS	State/Country CA	Zip Code 94070
Full Name of Inventor 5	Last Name RUDDY	First Name DAVID	Middle Name or Initial	
Residence & Citizenship	City SAN FRANCISCO	State/Foreign Country CA	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 2336 B GOUGH STREET	City SAN FRANCISCO	State/Country CA	Zip Code 94109

Full Name of Inventor 6	Last Name TSUCHIHASHI	First Name ZENTA	Middle Name or Initial	
Residence & Citizenship	City MENLO PARK	State/Foreign Country CA	Country of Citizenship JAPAN	
Post Office Address	Post Office Address 9 LIGHT WAY	City MENLO PARK	State/Country CA	Zip Code 94025
Full Name of Inventor 7	Last Name WOLFF	First Name ROGER	Middle Name or Initial K.	
Residence & Citizenship	City MILL VALLEY	State/Foreign Country CA	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 41 EUGENE STREET	City MILL VALLEY	State/Country CA	Zip Code 94941

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  WINSTON J. THOMAS	Signature of Inventor 2 DENNIS T. DRAYNA	Signature of Inventor 3  JOHN N. FEDER
Date 4/16/97	Date	Date 4-16-97
Signature of Inventor 4  ANDREAS GNIRKE	Signature of Inventor 5  DAVID RUDDY	Signature of Inventor 6  ZENTA TSUCHIHASHI
Date 4-16-97	Date 4-16-97	Date 4-16-97
Signature of Inventor 7  ROGER K. WOLFF		
Date 4/16/97		

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My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **HEREDITARY HEMOCHROMATOSIS GENE** the specification of which ___ is attached hereto or X was filed on April 4, 1997 as Application No. ___ and was amended on ___ (if applicable).

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08/632,673	04/16/96	_ Patented <u>X</u> Pending _ Abandoned
08/652,265	05/23/96	_ Patented <u>X</u> Pending _ Abandoned

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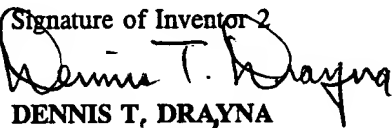
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Signature of Inventor 1 WINSTON J. THOMAS	Signature of Inventor 2  DENNIS T. DRAYNA	Signature of Inventor 3 JOHN N. FEDER
Date	Date 4/24/97	Date
Signature of Inventor 4 ANDREAS GNIRKE	Signature of Inventor 5 DAVID RUDDY	Signature of Inventor 6 ZENTA TSUCHIHASHI
Date	Date	Date
Signature of Inventor 7 ROGER K. WOLFF		
Date		

REFERRED
REC'D

MAY 18 1999

Pennie & Edmonds
O.K. for filing

PTAS

MAY 04, 1999

PENNIE & EDMONDS LLP
BRIAN M. POISSANT
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



100961523A

8907-056

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/29/1999

REEL/FRAME: 9739/0182
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MERCATOR GENETICS, INC.

DOC DATE: 01/27/1999

ASSIGNEE:

PROGENITOR, INC.
4040 CAMPBELL AVENUE
MENLO PARK, CALIFORNIA 94025

SERIAL NUMBER: 08834497 /
PATENT NUMBER:

FILING DATE: 04/04/1997
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

1999
NPS-201

jc675 U.S. PTO
09/497957
02/04/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas *et al.*

Serial No.: 08/834,497

Group Art Unit: 1805

Filed: April 4, 1997

Examiner: W. Sandals

For: HEREDITARY
HEMOCHROMATOSIS GENE

Attorney Docket No.:
8907-0056-999

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)
AND REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified below. Attached hereto is a copy of the Notice of Recordation of Assignment Document for the above-identified application.

MERCATOR GENETICS, INC., a California corporation, having its principal place of business located at 4040 Campbell Avenue, Menlo Park, California, 94025, certifies that, subject to certain rights of the U.S. government, it is the assignee and owner of the entire right, title and interest in, to and under the invention described and claimed in the above-identified application, and hereby revokes all previous Powers of Attorney granted in this application and appoints the following attorneys:

S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No.

24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), Mark A. Farley (Reg. No. 33170), and James G. Markey (Reg. No. 31636), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, its attorneys,

to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

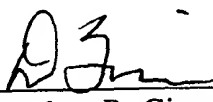
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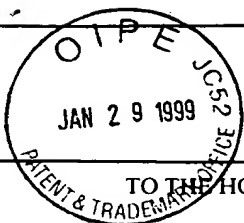
Please direct all correspondence, telephone calls and facsimile transmissions to:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(650) 493-4935 - Telephone
(650) 493-5556 - Facsimile

MERCATOR GENETICS, INC

Date: 2/27/98

By: 
Name: Douglass B. Given
Title: President



RECORDATION FORM COVER SHEET

PATENTS ONLY

02-08-1999

Attorney Docket Number

8907-056-999

TO THE HONORABLE



REMARKS

100961523

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Mercator Genetics, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: January 27, 1999

2. Name and address of receiving party(ies):

Name: Progenitor, Inc.Address: 4040 Campbell Avenue
Menlo Park, CA 94025

Country (if other than USA): _____

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) 08/834,497

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 100366. Number of applications and patents involved: 17. Total fee (37 CFR 3.41):.....\$ 40.00
Please charge to the deposit account listed in Section 8.8. Deposit account number:
16-1150

02/05/1999 JSHABAZZ 00000015 161150 08834497

01 FC:581

40.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Brian M. Poissant, Reg. No. 28,462

Name of Person Signing Reg. No.

Signature

Date

January 29, 1999

Total number of pages including cover sheet:

2

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignment
Washington, D.C. 20231

ASSIGNMENT

WHEREAS, Mercator Genetics, Inc., ASSIGNOR, a corporation organized and existing under the laws of California, U.S.A., and having a place of business at 4040 Campbell Avenue, Menlo Park, CA 94025, is the owner of the entire right, title and interest in, and to, application for United States Letters Patent, in the names of Winston J. Thomas, Dennis T. Drayna, John N. Feder, Andreas Gnirke, David Ruddy, Zenta Tsuchihashi and Roger K. Wolff for *Hereditary Hemochromatosis Gene* and of the invention therein described; and

- ☒ which is identified by Pennie & Edmonds LLP docket no. 8907-0056-999
- ☒ which was filed on April 4, 1997 as Application No. 08/834,497

and WHEREAS, Progenitor, Inc., ASSIGNEE, a corporation organized and existing under the laws of Delaware, U.S.A., and having a place of business at 4040 Campbell Avenue, Menlo Park, CA 94025, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

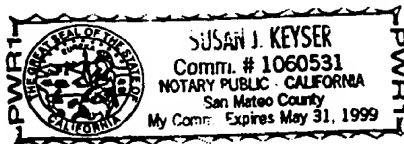
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of January, 1999.

Mercator Genetics, Inc.

D. Given L.S.
By: Douglass B. Given, President

State of California)
County of Santa Clara) SS.:

On this 27th day of January, 1999, before me, a Notary Public in and for the State and County aforesaid, personally appeared Douglass B. Given, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Susan J. Keyser
Notary Public.



00/40/20
L56667/60
OLD S.N 51990J

EXHIBIT A
TO
ASSIGNMENT
BETWEEN PROGENITOR, INC. AND BIO-RAD LABORATORIES, INC.

I. U.S. PATENTS AND PATENT APPLICATIONS

<u>Inventor</u>	<u>Serial No.</u>	<u>Filed</u>	<u>Title</u>
Drayna et al.	08/436,074	05/08/95	Method to Diagnose Hereditary Hemochromatosis
Drayna et al.	08/599,252	02/09/96	Method to Diagnose Hereditary Hemochromatosis
Tsuchihashi et al.	08/632,673	04/16/96	Hereditary Hemochromatosis Diagnostic Markers and Diagnostic Methods
Thomas et al.	08/652,265	05/23/96	Hereditary Hemochromatosis Gene
Feder et al.	08/724,394	10/01/96	Megabase Transcript Map: Novel Sequences and Antibodies Thereeto
Thomas et al.	08/834,497	04/04/97	Hereditary Hemochromatosis Gene
Ruddy and Wolff	08/852,495	05/07/97	Polymorphisms in the Region of the Human Hemochromatosis Gene
Feder et al.	08/867,010	06/13/97	Methods and Compositions for Diagnosis and Treatment of Iron Overload Diseases
Feder et al.	08/920,559	08/27/97	Methods and Compositions for Diagnosis and Treatment of Iron Misregulation Diseases
Feder et al.	09/094,964	06/12/98	Methods and Compositions for Diagnosis and Treatment of Iron Overload Diseases and Iron Deficiency Diseases
Feder et al.	09/216,077	12/18/98	Peptides and Peptide Analogues Designed from HFE Protein and Their Uses in the Treatment of Iron Overload Disease

II. FOREIGN PATENTS AND PATENT APPLICATIONS

<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
Canada	2,220,293	05/08/96
Australia	58559/96	05/08/96
South Africa	96/3639	05/08/96
EPO	96920167.2	05/08/96
CT	PCT/US96/06583	05/08/95
South Africa	97/6370	03/19/97
South Africa	97/8804	10/01/97
PCT	PCT/US97/17658	09/30/97
Canada		04/04/97
Australia	26701/97	04/04/97
EPO	97918642.6	04/04/97
CT	PCT/US97/06254	04/04/97
PCT	PCT/US98/12436	06/12/98